

COPY

Atty. Docket No.: CRP-053

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

(Original, Design, National Stage of PCT, Supplemental,
Divisional, Continuation or CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one
applicable item below)

- ☒ original
☐ design
☐ supplemental
☐ national stage of PCT
☐ divisional
☐ continuation
☒ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as
stated below next to my name, and I believe I am the original,
first and sole inventor (if only one name is listed below) or an
original, first and joint inventor (if plural names are listed
below) of the subject matter which is claimed and for which a
patent is sought on the invention entitled:

TITLE OF INVENTION

BIOSYNTHETIC BINDING PROTEINS FOR ~~IMAGING~~ IMMUNOTARGETING

H. J. H.

SPECIFICATION IDENTIFICATION

the specification of which (check one):

- ☒ is attached hereto.
- ☐ was filed on _____ as
Application Serial No. _____ or
☐ Express Mail No., as Serial No. not yet known
and was amended on _____
(if applicable).
- ☐ was described and claimed in PCT International
Application No. _____ filed on
_____ and as amended under PCT Article 19 on
_____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

- ☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Check one:

- ☐ no such applications have been filed.
- ☐ such applications have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO
THIS U.S. APPLICATION

Country	Application Number	Date of Filing (mo., day, year)	Priority Claimed Under 37 USC 119		
PCT	US93/01055	2/5/93	<input type="checkbox"/>	YES	NO <input checked="" type="checkbox"/>
			<input type="checkbox"/>	YES	NO <input type="checkbox"/>
			<input type="checkbox"/>	YES	NO <input type="checkbox"/>

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN
12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO
THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:

U.S. APPLICATIONS	U.S. FILING DATE	STATUS
<u>07/831,967</u> (Application Serial No.)	<u>2/6/92</u> (Filing Date)	<u>pending</u> (Status) (patented, pending, aband.)
<u> </u> (Application Serial No.)	<u> </u> (Filing Date)	<u> </u> (Status) (patented, pending, aband.)

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Edmund R. Pitcher,	Reg. No. 27,829
Steven M. Bauer,	Reg. No. 31,481
Paula A. Campbell,	Reg. No. 32,503
Douglas J. Kline,	Reg. No. 35,574
Richard B. Smith,	Reg. No. 34,020
Gillian M. Fenton	Reg. No. 36,508
Joseph A. Capraro	Reg. No. 36,471
Robin D. Kelley,	Reg. No. 34,637
Robert J. Tosti,	Reg. No. 35,393
Madeline I. Johnston,	Reg. No. 36,174

Direct correspondence to:

Patent Administrator
Testa, Hurwitz & Thibeault
Exchange Place
53 State Street
Boston, MA 02109-2809 U.S.A.

Direct telephone calls to:
Edmund R. Pitcher (617) 248-7589

(name and telephone number)

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE (S)

James S. Huston
Full name of sole or first inventor

U.S.A.
Citizenship

Date 9-22-93

James S. Huston
Inventor's signature

Five Drew Road, Chestnut Hill, MA 02167
Residence

1	same as above
2	Post Office Address

2. Lou L. Houston
Full name of second joint inventor
if any

U.S.A.
Citizenship

Inventor's signature _____ Date _____

1901 Oakcrest Drive, Oakland, CA 94602
Residence

same as above
Post Office Address

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S)
WHICH FORM A PART OF THIS DECLARATION

☒ Signature for third and subsequent joint inventors.
Number of pages added 1.

☐ Signature by administrator(trix), executor(trix) or
legal representative for deceased or incapacitated
inventor. Number of pages added ____.

☐ Signature for inventor who refuses to sign or cannot
be reached by person authorized under 37 CFR 1.47.
Number of pages added ____.

☐ Added pages to combined declaration and power of
attorney for divisional, continuation, or continuation
in-part (CIP) application. ____ Number of pages added.

☐ Authorization of attorney(s) to accept and follow
instructions from representative.

If no further pages form a part of this Declaration then end this
Declaration with this page and check the following item.

☐ This declaration ends with this page.

ADDED PAGES FOR ADDITIONAL INVENTORS

David B. Ring _____ U.S.A. _____
Full name of inventor _____ Citizenship _____

Inventor's signature _____ Date _____

1248 Truman Street, Redwood City, CA 94061
Residence _____

same as above _____
Post Office Address _____

Hermann Oppermann _____ U.S.A. _____
Full name of inventor _____ Citizenship _____

Hermann Oppermann _____
Inventor's signature _____ Date Sept. 22 1993

25
22 Summer Hill Road, Medway, MA 02053
Residence _____

same as above _____
Post Office Address _____

Full name of inventor _____ Citizenship _____

Inventor's signature _____ Date _____

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BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING

D.B.R.
H.H.

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the specification of which (check one):

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Application Serial No. _____ or

— Express Mail No., as Serial No. not yet known

and was amended on _____
(if applicable).

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			<input type="checkbox"/>	YES	NO <input type="checkbox"/>
			<input type="checkbox"/>	YES	NO <input type="checkbox"/>

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PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
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U.S. APPLICATIONS	U.S. FILING DATE	STATUS
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Paula A. Campbell,	Reg. No. 32,503
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Robert J. Tosti,	Reg. No. 35,393
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Edmund R. Pitcher (617) 248-7589

(name and telephone number)

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SIGNATURE(S)

James S. Huston

Full name of sole or first inventor

U.S.A.

Citizenship

Inventor's signature

Date

Five Drew Road, Chestnut Hill, MA 02167

Residence

same as above

Post Office Address

L. L. Houston

Full name of second joint inventor
if any

U.S.A.

Citizenship

Inventor's signature

Date

1901 Oakcrest Drive, Oakland, CA 94602

Residence

same as above

Post Office Address

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S)
WHICH FORM A PART OF THIS DECLARATION

☒ Signature for third and subsequent joint inventors.
Number of pages added 1.

☐ Signature by administrator(trix), executor(trix) or
legal representative for deceased or incapacitated
inventor. Number of pages added ____.

☐ Signature for inventor who refuses to sign or cannot
be reached by person authorized under 37 CFR 1.47.
Number of pages added ____.

☐ Added pages to combined declaration and power of
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☐ This declaration ends with this page.

ADDED PAGES FOR ADDITIONAL INVENTORS

David B. Ring _____ U.S.A. _____
Full name of inventor _____ Citizenship _____
David B. Ring _____ 9/22/93 _____
Inventor's signature _____ Date _____
1248 Truman Street, Redwood City, CA 94061
Residence _____
same as above _____
Post Office Address _____

Hermann Oppermann _____ U.S.A. _____
Full name of inventor _____ Citizenship _____

Inventor's signature _____ Date _____
23 Summer Hill Road, Medway, MA 02053
Residence _____
Same as above _____
Post Office Address _____

Full name of inventor _____ Citizenship _____

Inventor's signature _____ Date _____

Residence _____

Post Office Address _____

Full name of inventor _____ Citizenship _____

Inventor's signature _____ Date _____

Residence _____

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 27, 1999.

10/27/99 Patricia K. Simons
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

James S. HUSTON et al.

Serial No.: 08/462,641

Art Unit: 1644

Filing Date: June 5, 1995

Examiner: T. Cunningham

Title: BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING

REVOCATION OF POWER OF ATTORNEY AND
NEW POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Cheryl Lawton, Esq., General Counsel
(name) (title)

of the assignee, Creative Biomolecules, Inc. by virtue of an assignment recorded at Reel 6765 and Frame 0017 on October 7, 1993 hereby revoke all powers of attorney heretofore existing in the above-identified application and hereby appoint Robert P. Blackburn, Reg. No. 30,447, Alisa A. Harbin, Reg. No. 33,895, Joseph H. Guth, Reg. No. 31,261, Charlene A. Launer, Reg. No. 33,035, David P. Lentini, Reg. No. 33,944, Kimberlin L. Morley, Reg. No. 35,391, Roberta L. Robins, Reg. No. 33,208, Dahna S. Pasternak, Reg. No. 41,411, Vandana Date, Reg. No. 38,675 and Gary R. Fabian, Ph.D., Reg. No. 33,

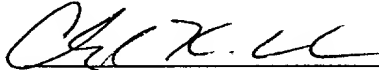
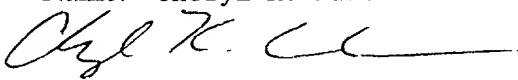
875 and as our attorneys and agents to prosecute said application, and to transact all business in the Patent and Trademark Office connected therewith.

Please address all further communications to Joseph H. Guth at the following address:

CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-3888
Facsimile: (510) 655-3542

Date:

9/21/99


Name: Cheryl K. Lawton


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 27, 1999.

10/27/99 Patricia K. Amers
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

James S. HUSTON et al.

Serial No.: 08/462,641

Art Unit: 1644

Filing Date: June 5, 1995

Examiner: T. Cunningham

Title: BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING

REVOCATION OF POWER OF ATTORNEY AND
NEW POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Joseph H. Guth, Assistant Secretary
(name) (title)

of the assignee, Chiron Corporation by virtue of an assignment recorded at Reel 6765 and Frame 0014 on October 7, 1993 hereby revoke all powers of attorney heretofore existing in the above-identified application and hereby appoint Robert P. Blackburn, Reg. No. 30,447, Alisa A. Harbin, Reg. No. 33,895, Joseph H. Guth, Reg. No. 31,261, Charlene A. Launer, Reg. No. 33,035, David P. Lentini, Reg. No. 33,944, Kimberlin L. Morley, Reg. No. 35,391, Roberta L. Robins, Reg. No. 33,208, Dahna S. Pasternak, Reg. No. 41,411, Vandana Date, Reg. No. 38,675 and Gary R. Fabian, Ph.D., Reg. No. 33, 875 as our

attorneys and agents to prosecute said application, and to transact all business in the Patent and Trademark Office connected therewith.

Please address all further communications to Joseph H. Guth at the following address:

CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-3888
Facsimile: (510) 655-3542

CHIRON CORPORATION

Date: 3 September 1989

By: 

Name:

Joseph H. Guth
Assistant Secretary